

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
REISMAN, Richard R.
Application No.: 09/553,337
Filed: April 20, 2000
For: **Method For Updating Software**

Confirmation No.: 5134
Art Unit: 2182
Examiner: PEYTON, Tammara R.
Atty. Docket: 2222.4310003

Statement of Substance of Interview

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant is in receipt of an Interview Summary issued by the U.S. Patent & Trademark Office dated December 19, 2007, for the above identified patent application. In reply to the Interview Summary Form PTOL-413 mailed December 19, 2007, and in accordance with 37 C.F.R. § 1.133(b) and MPEP § 713.04, the Applicant's undersigned representative provides the following statement of the substance of the "Personal" interview held with the Examiner, Tammara R. Peyton, on December 4, 2007, regarding the above captioned application.

The Examiner, SPE Thomas Lee, Technical Specialist David Story, and Applicant's undersigned representative participated in a personal interview on December 4, 2007, held at the U.S. Patent and Trademark Office, Arlington, VA. During this interview, the following Exhibits were introduced by Applicant's representative:

Printout of screenshots of the QmodemPro reference

Diagram detailing differences between DOS-based and Windows 3.11 and DOS-based Qmodem

During the interview, the following references were discussed:

Qmodem 4.0 Operations Manual, 1989, The Forbin Project, Inc.
Zellweger (U.S. 5,630,125)

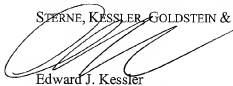
Discussion involved claims 114-152, focusing on the independent claims. A summary of the interview follows:

Examiner and Applicant's representatives discussed the merit of the intended use of Qmodem and the newly cited reference Zellweger. Specifically, Applicant's representatives discussed if the Dos-based Qmodem would support a customized graphical user interface that was taught by Zellweger. Also, we discussed the 112 1st rejection regarding support for specific words or phrases found in the claim language date 3/19/07. Applicant's representative will propose an amendment to the independent claims to overcome the 112 1st, however no agreement was reached regarding Qmodem-Zellweger. Examiner may reexamine the Office's position in light of Applicant's future communications to the Office.

The interview concluded with no determination made with respect to claims 114-152.

Respectfully submitted,

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